

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chairman Gary L. Perry, on March 17, 2009 at 9:00
A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Gary L. Perry, Chairman (R)
Sen. Jim Shockley, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. John Esp (R)
Sen. Greg Hinkle (R)
Sen. Larry Jent (D)
Sen. Carol C. Juneau (D)
Sen. Cliff Larsen (D)
Sen. Jesse Laslovich (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Terry Murphy (R)

Members Excused: None

Members Absent: None

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 228, HJ 14, 3/10/2009

Executive Action: None

HEARING ON HJ 14

Opening Statement by Sponsor:

00:04:17 Rep. Wendy Warburton (R), HD 34, opened the hearing on HJ 14, Support self-defense in national parks.

Proponents' Testimony:

00:09:09 Gary Marbut, Montana Shooting Sports of America
00:09:52 Tim Ravndal, Montana Multiple Use Association
00:10:26 Brian Judy, National Rifle Association (NRA)
00:10:58 Doug Nulle, self
00:11:17 Rick Carter, self
00:11:30 Lincoln Dziekonski, self
00:11:44 Randy Pinocci, self
00:12:05 Roland Horst, self
00:12:18 Harvey Hollandsworth, self
00:12:41 Dave Wood, self
00:13:10 Dennis Mills, self

Opponents' Testimony:

00:14:05 Jamee Greer, Montana Human Rights Network

Informational Testimony:

00:15:50 Ali Bovingdon, Assistant Attorney General, Department of Justice (DOJ)

Questions from Committee Members and Responses:

00:18:48 Sen. Laslovich
00:19:07 Rep. Warburton
00:20:42 Sen. McGee
00:21:06 Ms. Bovingdon
00:21:46 Sen. Moss
00:22:05 Rep. Warburton

Closing by Sponsor:

00:23:02 Rep. Warburton

HEARING ON HB 228

Opening Statement by Sponsor:

00:27:33 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 228, Citizen self-defense and firearm rights.

EXHIBIT(jus59a01)

Proponents' Testimony:

00:36:53 Rep. Deborah Kottel, HD 20

00:43:37 Gary Marbut, Montana Shooting Sports Association

EXHIBIT(jus59a02)

EXHIBIT(jus59a03)

00:47:21 Brian Judy, NRA

EXHIBIT(jus59a04)

00:53:46 Gregg Trude, self

00:55:03 Tim Ravndal, Montana Multiple Use Association

00:56:10 Wayne Delzer, self

00:57:26 Doug Nulle, self

01:02:04 Rep. Wendy Warburton, HD 34

01:03:35 Rick Carter, self

01:04:42 Randy Pinocci, self

01:06:09 Harvey Hollandsworth, self

01:08:01 Tom Martin, self

01:08:35 Dennis Mills, self

01:09:50 Roland Horst, self

01:10:23 Lincoln Dziekonski, self

01:11:22 Pat Wood, self

01:11:40 Dave Wood, self

01:12:39 Erick Prather, self

01:16:11 break

Opponents' Testimony:

01:29:30 Daryl Anderson, Lincoln County Sheriff; President, Montana Sheriffs and Peace Officers Association

01:30:29 Jim Cashell, Gallatin County Sheriff; Montana Sheriffs and Peace Officers Association

01:36:22 Mark Muir, Missoula Chief of Police; Montana Association of Chiefs of Police

EXHIBIT(jus59a05)

01:38:50 John Schaffer, Training Coordinator, Great Falls Police Department; Montana Police Protective Association

01:41:19 Brian Black, Police Officer, Street Crimes Unit, Great Falls Police Department; Montana Police Protective Association

01:44:20 Jesse Slaughter, Montana Police Protective Association;
Police Officer; Field Training Officer; Firearm
Instructor
01:48:56 Fred Van Valkenburg, Missoula County Attorney, Missoula
01:56:12 JoAnne Racine, self
01:57:54 Ali Bovington, Assistant Attorney General, DOJ
02:03:09 Maureen Weiland, Associated Students of Montana State
University (ASMSU)

EXHIBIT(jus59a06)

EXHIBIT(jus59a07)

02:04:42 Merle Raph, Montana County Attorneys Association
02:05:15 Pat Draigman, Sweetgrass County Attorney; Montana
County Attorneys Association
02:08:55 Leo Gallagher, Montana County Attorneys Association
02:11:44 Mike Guy, Police Officer, Billings Police Department
02:13:32 Dave Loewen, Game Warden, Montana Game Warden
Association
02:14:01 Jim Lemke Chief of Police, University of Montana
02:14:30 Shantelle Gaynor, Grants Administrator, Missoula County
Office of Planning and Grants; Office of Crime
Victim Advocates

EXHIBIT(jus59a08)

02:15:24 Kim Campbell, Domestic Violence and Education Services
(DOVES) of Polson
02:15:45 Sheila Stearns, Commissioner of Higher Education

EXHIBIT(jus59a09)

02:16:13 Dan Carter, Montana State University-Billings
02:16:31 Frank Gilmore, self
02:16:45 Dennis Lopach, self
02:16:58 Dustin Leftridge, Associated Students of Montana State
University

EXHIBIT(jus59a10)

02:17:20 Cathy Conover, Montana State University; also for
Montana State University President, Geoff Gamble
02:17:39 Jamee Greer, Montana Human Rights Network

EXHIBIT(jus59a11)

02:17:57 Kelsen Young, Executive Director, Montana Coalition
Against Domestic and Sexual Violence; also for Judy
Wang, Assistant City Attorney, Missoula

EXHIBIT(jus59a12)

EXHIBIT(jus59a13)

EXHIBIT(jus59a14)

02:18:30 Ivy English, student, Montana State University
02:18:57 Lucas Hamilton, Associated Students, Montana State
University

EXHIBIT(jus59a15)

EXHIBIT(jus59a16)

02:19:14 Larry Epstein, Glacier County Attorney, Kalispell
 02:19:39 Dave Schenk, Sheriff, Madison County; Montana Sheriffs
 and Peace Officers Association
 02:20:02 Marty Lambert, Gallatin County Attorney, Bozeman
 02:20:20 Truman Tolson, President, Montana Police Protective
 Association
 02:20:35 Dave Castle, Sheriff, Cascade County, Great Falls
 02:20:53 Mitch Jessen, Student Member, Board of Regents

Informational Testimony:

none

Questions from Committee Members and Responses:

02:21:35 Sen. Jent
 02:22:12 Rep. Kern
 02:25:56 Sen. Jent
 02:26:08 Mr. Marbut
 02:29:15 Sen. Jent
 02:29:26 Mr. Judy
 02:31:13 Sen. Jent
 02:32:25 Rep. Kottel
 02:33:07 Sen. Shockley
 02:33:31 Ms. Stearns
 02:37:19 Sen. Esp
 02:37:54 Mr. Gallagher
 02:39:48 Sen. Esp
 02:40:09 Rep. Kerns
 02:42:33 Sen. Esp
 02:42:46 Mr. Gallagher
 02:45:02 Sen. McGee
 02:45:44 Rep. Kottel
 02:46:44 Sen. McGee
 02:47:01 Mr. Black
 02:56:17 Sen. Laslovich
 02:56:31 Mr. Judy
 02:57:03 Sen. Laslovich
 02:57:08 Rep. Kerns
 02:59:45 Sen. Laslovich
 03:00:02 Mr. Epstein
 03:01:20 Sen. Perry
 03:01:45 Sen. Shockley
 03:02:57 Sen. McGee
 03:03:17 Sen. Shockley
 03:03:38 Mr. Marbut
 03:06:24 Sen. Hinkle
 03:06:51 Mr. Gallagher
 03:07:36 Sen. Hinkle

03:07:55 Mr. Slaughter
03:08:25 Sen. Hinkle
03:08:54 Mr. Marbut
03:11:10 Sen. Curtiss
03:11:35 Ms. Bovington
03:12:10 Sen. Curtiss
03:12:38 Mr. Castle
03:14:34 Sen. Juneau
03:15:08 Mr. Gallagher
03:17:18 Sen. Juneau
03:17:35 Ms. Young
03:20:35 Sen. Larsen
03:20:57 Rep. Kerns
03:21:22 Sen. Moss
03:22:25 Ms. Stearns
03:24:17 Sen. Perry
03:24:39 Mr. Guy
03:25:32 Sen. Perry
03:25:47 Mr. Muir
03:27:55 Sen. Perry
03:28:23 Rep. Kerns
03:31:50 Sen. Perry
03:32:22 Mr. Schaffer
03:33:28 Sen. Hinkle
03:34:03 Ms. Stearns

Closing by Sponsor:

03:36:07 Rep. Kerns

Distributed to the Committee Members regarding the hearing of HB 228:

[EXHIBIT\(jus59a17\)](#)

[EXHIBIT\(jus59a18\)](#)

[EXHIBIT\(jus59a19\)](#)

[EXHIBIT\(jus59a20\)](#)

[EXHIBIT\(jus59a21\)](#)

03:36:55 Sen. Perry Sub-Committee appointment for HB 228

ADJOURNMENT

Adjournment: 12:37 P.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT ([jus59aad.pdf](#))